

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-CR-00234-RJC-DSC

USA

v.

XIWEN HUANG

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ORDER

**THIS MATTER** is before the Court on the government's Motion for Final Determination of Restitution, (Doc. No. 28), to which the defendant has not objected.

At the sentencing of this matter, the Court held that final determination of restitution would be left open as authorized by 18 U.S.C. § 3664(d)(5). (Doc. No. 22: Judgment at 4). Based on the preponderance of the evidence, the Court finds that the calculations submitted by the government constitute a "final determination" for purposes of ordering restitution pursuant to the Mandatory Victim Restitution Act, 18 U.S.C. § 3663A. (Doc. No. 28: Motion at 1; Doc. No. 29: Exhibit).

**IT IS, THEREFORE, ORDERED** that the Judgment in this case, (Doc. No. 22), shall be amended to include a final restitution figure of \$114,275.31, payable to "Victim Company A" in the amount of \$57,854.81 and to "Victim Company B" in the amount of \$56,420.50.<sup>1</sup> Any payment that is not payment in full shall be divided proportionately between the victims named. All other terms of the original Judgment, (Doc. No. 22), remain unchanged.

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<sup>1</sup> Based on the sensitive nature of the offense, the government may submit identifying information for each victim company under seal.

The Clerk is directed to certify copies of this order to Defendant, counsel for Defendant, the United States Attorney, the United States Marshals Service, the United States Probation Office, and the Financial Administration Unit of the Clerk's Office.

Signed: January 26, 2017

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

